

Message Text

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PAGE 01 VIENNA 00459 01 OF 02 211349Z

40

ACTION IO-11

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COME-00 INT-05 ACDA-10 SIL-01 LAB-04 DIWY-01 CEA-01

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UNCLAS SECTION 1 OF 2 VIENNA 0459

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TAGS PFOR, PORG, OCON, UNIDO

SUBJECT: COW TO CONSIDER UNIDO DRAFT STATUTES: PLENARY MEETINGS

JAN 16 AND 19: DELEGATION REPORT NO. 5

1. SUMMARY: PLENARY OF COMMITTEE OF WHOLE ON UNIDO DRAFT CONSTITUTION MET MORNING JAN 16 TO BEGIN ARTICLE-BY-ARTICLE "FIRST READING" OF SECRETARIAT DRAFT (A/10202), SPEAKERS INCLUDED USSR, UK, PHILIPPINES, HUNGARY, SWEDEN, FRANCE, US, NEW ZEALAND AND NETHERLANDS. PLENARY AFTERNOON SESSION JAN 16 WAS CANCELLED IN FAVOR OF CONTINUING GEOGRAPHIC GROUP MEETINGS. BRIEF PLENARIES OF JAN 19 SAW EXCHANGE BY GROUP B AND G-77 OF RESPECTIVE REDRAFTS OF A/10202, WHICH BROUGHT FIRST SESSION OF COW TO HARMONIOUS CONCLUSION. END SUMMARY.

2. COW PLENARY MET MORNING JAN 16 FOR ARTICLE-BY-ARTICLE "FIRST READING" OF UNIDO DRAFT CONSTITUTION (A/10202) BEGINNING WITH PREAMBLE AND CHAPTER ONE. USSR (EROFEEV), SPEAKING FOR SOCIALIST BLOC (EXCEPT ROMANIA), CALLED FOR EXPANSION OF THE DRAFT PREAMBLE TO INCLUDE LANGUAGE
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PAGE 02 VIENNA 00459 01 OF 02 211349Z

OF PRINCIPLES SET OUT IN 6SS AND LIMA DECLARATION

AS WELL AS CERDS, PARTICULARLY WITH REFERENCE TO PERMANENT SOVEREIGNTY OVER NATURAL RESOURCES, INCLUDING RIGHT OF NATIONALIZATION. PREAMBLE SHOULD ALSO MENTION CLOSE LINK BETWEEN DETENTE, PEACE AND SECURITY AND PROSPECTS FOR INTERNATIONAL ECONOMIC DEVELOPMENT AND SHOULD INCLUDE IMPORTANT POINTS OF RES 2152(21) TO ASSURE CONTINUITY. GIVEN ITS IMPORTANCE, HE CONTINUED, PREAMBLE SHOULD ALSO HIGHLIGHT UNIDO ROLE IN CONSULTATIONS AND EXCHANGE OF EXPERIENCE OF DIFFERING ECONOMIC AND SOCIAL SYSTEMS WHICH LEAD TO RECOMMENDATIONS FOR THE DEVELOPMENT PLANS AND STRATEGIES OF LDC'S. HIS GROUP CONSIDERED PARA 3 OF PREAMBLE ("INTERNATIONAL COOPERATION...") TO BE SUPERFLUOUS AND WISHED TO EXPAND PARA 4 (INDUSTRIALIZATION IS...) BY ADDING A CALL FOR LIQUIDATION OF VESTIGES OF COLONIALISM, BREAKING THE ECONOMIC HOLD OF TNC'S ENSURING CONTROL OVER FOREIGN CAPITAL AND THE INTRODUCTION OF PROGRESSIVE ECONOMIC AND SOCIAL TRANSFORMATION; THE FINAL PREAMBULAR PARA, HE CONTINUED, SHOULD ENSHRINE PRINCIPLE OF UNIVERSALITY AND REFLECT ROLE OF UNIDO AND ECOSOC IN ASSURING COORDINATION OF ECONOMIC DEVELOPMENT ACTIVITIES IN UN SYSTEM. TURNING TO CHAPTER I OF DRAFT, HE BELIEVED THAT ART. 1 SHOULD PROVIDE THAT NEW UNIDO WILL BE GUIDED BY PRINCIPLES SET OUT IN PREAMBLE AND SHOULD INCLUDE REFERENCE TO UN CHARTER. IT SHOULD PROVIDE FOR THE DRAWING UP BY LDC'S OF INDUSTRIAL DEVELOPMENT STRATEGIES WITH THE GOAL OF SOCIAL AND ECONOMIC RESTRUCTURING LEADING TO ECONOMIC INDEPENDENCE, SHOULD INCLUDE REFERENCE TO COOPERATION AMONG COUNTRIES WITH DIFFERING ECONOMIC SYSTEMS AND SHOULD PROVIDE FOR ASSISTANCE TO LDC'S IN ASSURING PERMANENT SOVEREIGNTY OVER THEIR NATURAL RESOURCES. ART. 2 SHOULD DRAW ON RES 2152(21) AS WELL AS FINDINGS OF AD HOC GROUP ON LONG-RANGE STRATEGY FOR UNIDO, SHOULD AIM AT THE STRENGTHENING OF ROLE OF STATE SECTOR IN FULL USE OF DOMESTIC RESOURCES. SUB-PARA (2) ON EXTERNAL FINANCING SHOULD BE CAREFULLY REDRAFTED TO PROTECT THE INTERESTS OF LDC'S.

3. UK (SLATER) BELIEVED PREAMBLE SHOULD AVOID LINKAGE TO EVENTS OF TRANSITORY SIGNIFICANCE AND CALLED UNCLASSIFIED

UNCLASSIFIED

PAGE 03 VIENNA 00459 01 OF 02 211349Z

FOR ELIMINATION FROM PREAMBLE OF REFERENCES TO SPECIFIC RESOLUTIONS; EVEN BETTER, IN HIS VIEW, WOULD BE COMPLETE ELIMINATION OF PREAMBLE, WHICH WAS NOT NECESSARY TO SA CONSTITUTION. PHILIPPINES (SIAZON) AGREED THAT REFERENCE TO INTERNATIONAL DECISIONS OF TRANSITORY RELEVANCE WAS UNNECESSARY, BUT BELIEVED THAT CERTAIN PRINCIPLES OF PRIMORDIAL RELEVANCE TO NEW UNIDO SHOULD BE INCLUDED IN PREAMBLE, E.G., ESTABLISHMENT OF NIEO

AND A JUST AND EQUITABLE INTERNATIONAL ECONOMIC AND
SOCIAL ORDER. HE BELIEVED THAT OBJECTIVES OF NEW UNIDO
SHOULD BE CASED IN GENERAL TERMS, E.G., "PROMOTION
AND ACCELERATION OF INDUSTRIAL DEVELOPMENT OF LDC'S

IN ACCORDANCE WITH PRINCIPLES SET FORTH IN PREAMBLE".
BASIC AIM OF COW, HE CONTINUED, SHOULD BE TO PROVIDE
THE ORGANIZATION WITH SUFFICIENT AUTHORITY AND COMPETENCE
TO ASSURE ITS OBJECTIVE, WHICH IS THE ESTABLISHMENT OF A
NEW INTERNATIONAL ECONOMIC ORDER. HUNGARY (SOMJEN)
AGREED WITH UK THAT NO REFERENCE NEED BE MADE IN PREAMBLE
TO TRANSITORY EVENTS BUT INSISTED THAT PRINCIPLES OF
6SS, NIEO AND CERDS WERE OF LASTING SIGNIFICANCE AND
SHOULD BE REFERRED TO AS A WHOLE IN PREAMBLE. SWEDEN
(HELLNER) BELIEVED THAT PREAMBLE COULD BE SHORTENED
BUT THOUGHT ITS DELETION WOULD NOT BE POSSIBLE; HE DID
NOT AGREE WITH THE DELETION OF THE THEMES OF IMPORTANT
RESOLUTIONS, THOUGH SPECIFIC REFERENCE TO THEM MIGHT
BE AVOIDED. HE BELIEVED THAT ART 1 SHOULD REFLECT
THE PRINCIPLES SET OUT IN PREAMBLE.

4. FRANCE (DEMENTHON) HAD NO BASIC DIFFICULTY WITH THE
DRAFT PREAMBLE, BUT WOULD BE IN FAVOR OF SHORTENING IT.
HE COULD ACCEPT ART. 1, BUT BELIEVED ART. 2 WAS

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PAGE 01 VIENNA 00459 02 OF 02 220037Z

63

ACTION IO-11

INFO OCT-01 ISO-00 AF-06 ARA-10 EA-09 EUR-12 NEA-10 L-03

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UNCLAS SECTION 2 OF 2 VIENNA 0459

MISTAKEN IN ATTEMPTING TO BE EXHAUSTIVE AND SHOULD BE RECAST IN MORE GENERAL TERMS. US (ROSENSTOCK) HELD THAT THERE WAS AMPLE PRECEDENT FOR ABSENCE OF PREAMBLE NEW UNIDO CONSTITUTION; THERE WAS NO LEGAL NEED FOR ONE AND ITS ABSENCE WOULD NOT INHIBIT UNIDO FROM CARRYING OUT ITS DUTIES. PREAMBLE REPRESENTED AREA OF POTENTIAL DIFFICULTY THAT SHOULD BEST BE AVOIDED. IF COW INSISTED ON INCLUSION OF PREAMBLE, IT SHOULD BE BRIEF AND NON-CONTROVERSIAL, EXCLUDING THE KIND OF CONTENTIOUS MATERIAL SUGGESTED BY PHILIPPINES DEL. IT WAS IMPORTANT THAT THE GOALS OF THE CONSTITUTION NOT BE BLURRED BY LANGUAGE OF PREAMBLE; IF GNERAL MEMBERSHIP WAS DESIRED, REFERENCE TO PROVISION OF BENEFITS TO AN EXCLUSIVE GROUP SHOULD BE AVOIDED. NEW ZEALAND (LARKINDALE) WAS NOT SATISFIED WITH DRAFT PREAMBLE, WHICH TENDED INSTITUTIONALIZE PRESENT DIFFICULTIES; PREAMBLE WAS NOT NECESSARY, BUT IF COW DETERMINED HAVE ONE, IT SHOULD BE BRIEF AND HAVE AS ITS MOST IMPORTANT ELEMENT PRINCIPLE OF UNIVERSALITY AND BENEFIT TO ALL MEMBERS. HE RECOGNIZED THAT THRUST OF ACTIVITIES OF UNIDO FOR YEARS TO COME
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PAGE 02 VIENNA 00459 02 OF 02 220037Z

MUST BE PROVISION OF ASSISTANCE TO LDC'S, BUT INSISTED THAT UNIVERSALITY OF BENEFITS WOULD BE ESSENTIAL CONSIDERATION HIS GOVERNMENT IN EVALUATING WORK OF COW. IN LINE WITH ITS BELIEF IN UNIVERSALITY AND EQUALITY, NEW ZEALAND REJECTED PROVISION FOR WEIGHTED VOTING ON BUDGET, BUT REMINDED OTHER DELS THAT, IN LINE WITH PARAS 29-32 OF LIMA DECLARATION, IT HELD FIRMLY TO VIEW THAT PRIMARY RESPONSIBILITY FOR INDUSTRIAL DEVELOPMENT RESTED WITH LDC'S THEMSELVES. NETHERLANDS (BRUYN) HELD THAT DUTCH HAD NEVER FELT THE POORER FOR LACK OF PREAMBLE TO NATIONAL CONSTITUTION. NETHERLANDS SAW NO NEED FOR PREAMBLE IN UNIDO'S CASE; IF USSR INSISTED ON INCLUSION OF CERTAIN "PRINCIPLES" THEN SCOPE OF PREAMBLE SHOULD BE BROADENED TO INCLUDE OTHER PRINCIPLES AS WELL. MORNING PLENARY ENDED WITH NETHERLANDS INTERVENTION; AFTERNOON OF JAN 16 WAS GIVEN OVER TO MEETINGS OF GEOGRAPHIC GROUPS.

5. PLENARY MORNING JAN 19 HEARD BRIEF INTERVENTION BY CHAIRMAN OF G-77 (MESQUITA-BRAZIL), WHO ANNOUNCED THAT G-77 HAD COMPLETED REDRAFT OF DOC A/10202 AND WAS WILLING EXCHANGE THAT PAPER WITH OTHER GROUPS IN RETURN FOR ANY PAPERS OTHER GROUPS MIGHT HAVE PREPARED IN REACTION TO SECRETARIAT DRAFT. PLENARY ADJOURNED

IMMEDIATELY THEREAFTER FOR FURTHER MEETINGS OF GEOGRAPHIC GROUPS DURING WHICH GROUP B REVERSED INTERNAL POSITION TAKEN EARLIER AND DECIDED TO EXCHANGE ITS REDRAFT OF A/10202 WITH G-77 (SEE SEPTEL. EXCHANGE WAS CARRIED OUT AT AFTERNOON PLENARY JAN 19, DURING WHICH, BY TACIT AGREEMENT, NO SUBSTANTIVE STATEMENTS WERE MADE.

6. PLENARY JAN 19 ALSO DISPOSED OF AGENDA ITEMS 7 (OTHER BUSINESS-NO NEW ITEMS WERE RAISED) AND 8 (FUTURE MEETINGS). COW DECIDED THAT SECOND SESSION WOULD TAKE PLACE MARCH 22 - APRIL 3 AND THIRD SESSION JUNE 28 - JULY 9, BOTH IN VIENNA.

6. COMMENT: EXCHANGE OF GROUP B AND G-77 WORKING PAPERS ON LAST DAY OF SESSION PROVIDED SUCCESSFUL ENDING FOR AN OTHERWISE LACKLUSTER AND SLOW-MOVING MEETING.
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PAGE 03 VIENNA 00459 02 OF 02 220037Z

G-77 SPOKESMEN EXPRESSED SATISFACTION WITH PROGRESS OF COW AND COOPERATIVE ATTITUDE OF DC'S WHILE GROUP B, WITH SOME EXCEPTIONS, GENERALLY PLEASED THAT ITS DETAILED REDRAFT OF A/10202, WHICH BOTH TIGHTER AND TOUGHER THAN SECRETARIAT DRAFT (AND WHICH CONTAINS ALL CORE ELEMENTS OF RELATIVELY HARD-LINE US POSITION), WAS CIRCULATED TO G-77 IN GOOD TIME FOR FULL CONSIDERATION BEFORE SECOND SESSION MEETS MARCH 22. STIBRAVY

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